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MAY 04 2009

**OFFICE OF PETITIONS**

Goodwin Procter LLP  
Attn: Patent Administrator  
135 Commonwealth Drive  
Menlo Park CA 94025-1105

In re Application of	:	
Sarah C. Bodary-Winter	:	
Application No. 10/533,520	:	DECISION ON PETITION
Filed: March 9, 2060	:	PURSUANT TO
Attorney Docket No.: GNE-0274 R1	:	37 C.F.R. § 1.137(B)
Title: COMPOSITIONS AND	:	
METHODS FOR THE TREATMENT OF	:	
IMMUNE RELATED DISEASES	:	

This is a decision on the petition pursuant to 37 C.F.R. § 1.137(b), filed October 28, 2008, on revive the above-identified application.

This petition pursuant to 37 C.F.R. § 1.137(b) is **GRANTED**.

The above-identified application became abandoned for failure to file a proper response to the Restriction Requirement, mailed April 8, 2008, which set a shortened statutory period to reply of one month. No response was received, and no extensions of time under the provisions of 37 C.F.R. § 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on May 9, 2008.

Decision on Petition pursuant to 37 C.F.R. § 1.137(b)

A Notice of abandonment was mailed on December 15, 2008, subsequent to the filing of this petition.

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in 37 C.F.R. § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in 37 C.F.R. § 1.20(d)) required pursuant to paragraph (d) of this section.

With this petition, Petitioner has submitted the petition fee, an election of species, and amendment, and the proper statement of unintentional delay. A terminal disclaimer is not required. As such, the first three requirements of Rule 1.137(b) have been met. The fourth requirement of Rule 1.137(b) is not applicable, as a terminal disclaimer is not required.<sup>1</sup>

The Technology Center will be notified of this decision. The Technology Center's support staff will notify the Examiner of this decision, so that the submissions that were received on October 28, 2008 can be processed.

Petitioner may find it beneficial to view Private PAIR within a fortnight of the present decision to ensure that the revival has been acknowledged by the Technology Center in response to this decision. It is noted that all inquiries with regard to any failure of that change in status should be directed to the Technology Center where that change of status must be effected - **the Office of Petitions cannot effectuate a change of status.**

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.<sup>2</sup> All other inquiries

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<sup>1</sup> See Rule 1.137(d).

<sup>2</sup> Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written

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concerning examination procedures or status of the application should be directed to the Technology Center.

/Paul Shanoski/

Paul Shanoski

Senior Attorney

Office of Petitions

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record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for Petitioner's further action(s).